

**FILED**

OCT 31 2006

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

IN RE:

JIAN YANG, A Material Witness.

CRIMINAL NO. 06-70675-WDB

ORDER RE REMOVAL OF  
MATERIAL WITNESS FROM  
THE UNITED STATES

Before the Court is the motion of the United States, through its counsel, Assistant United States Attorney George L. Bevan Jr, for an order prohibiting agents/officials of Immigration and Customs Enforcement (ICE) from removing from the United States, JIAN YANG, a material witness to criminal proceedings pending in Houston, Texas, in case number H-05-392S. The government's motion arises in the context of the arrest of this material witness on October 23, 2006, in the Northern District of California pursuant to a material witness warrant issued by the Court in Houston, Texas. This witness was thereafter released on bond pursuant to an order of this Court and the agreement of counsel for the witness and the government.

GOOD CAUSE APPEARING THEREFOR, IT IS HEREBY ORDERED that Immigration and Customs Enforcement shall not remove, nor take steps to initiate the removal of, material witness JIAN YANG from the United States until such time as the aforementioned criminal proceedings in case number H-05-392S are completed. The

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cc: WDB's Staff 2 certified copies to Marshal  
Copy to parties via ECF

1 intention of this Order is to insure the presence and availability of JIAN YANG in the  
2 United States for the criminal proceedings in Houston, Texas, referenced herein.

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6 Dated:

10/31/06

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8 WAYNE D. BRAZIL  
9 United States Magistrate Judge  
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